

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

WEISS-JENKINS IV, LLC, a Washington  
limited liability company,

Plaintiff,

v.

UTRECHT MANUFACTURING  
CORPORATION, a Delaware corporation, and  
DICK BLICK HOLDINGS, INC., a Delaware  
corporation,

Defendants.

NO. 2:14-cv-00954-RSL

**STIPULATION AND ~~[PROPOSED]~~  
ORDER RE: (1) APPROVAL OF  
LETTER OF CREDIT, AND  
(2) STAY OF JUDGMENT PENDING  
APPEAL**

**I. STIPULATION**

Plaintiff Weiss-Jenkins IV, LLC, n/k/a Weiss Company IV, LLC ("Plaintiff") and  
Defendants Utrecht Manufacturing Corporation ("Utrecht") and Dick Blick Holdings, Inc.  
("Dick Blick") (collectively, "Defendants"), by and through their undersigned counsel, hereby  
stipulate and agree as follows:

1. On September 9, 2016, the Court issued an Amended Final Judgment in favor of  
Plaintiff as Judgment Creditor in the amount of \$1,134,920.54 (the "Judgment"). See ECF-105.

2. This matter is presently on appeal before the Ninth Circuit Court of Appeals,  
Case No. 16-35552 (the "Appeal").

STIPULATION AND ORDER RE: (1) APPROVAL OF LETTER  
OF CREDIT, AND (2) STAY OF JUDGMENT PENDING  
APPEAL - 1  
(No. 2:14-cv-00954-RSL)

SAVITT BRUCE & WILLEY LLP  
1425 Fourth Avenue Suite 800  
Seattle, Washington 98101-2272  
(206) 749-0500

1           3.     Plaintiff and Dick Blick are agreed that a Letter of Credit is an appropriate form  
2 of security for the Appeal.

3           4.     On behalf of Dick Blick, JP Morgan Chase Bank N.A. has issued and delivered  
4 to Plaintiff an Irrevocable Standby Letter of Credit in the amount of \$1,250,000 with Plaintiff  
5 as the named beneficiary (the "LOC").

6           5.     The LOC is functionally analogous to a supersedeas bond and, subject to the  
7 Court's approval of the LOC and entry of the subjoined Order, the Judgment should be stayed  
8 pending the Appeal in accordance with Fed.R.Civ.P. 62(d) so long as the LOC remains in  
9 effect.

10           SO STIPULATED AND AGREED this 14<sup>th</sup> day of December 2017.

11  
12           **DAVIS WRIGHT TREMAINE, LLP**

13           By /s/ Rhys M. Farren [email authorization]

14           Rhys M. Farren, WSBA #19398

15           777 108<sup>th</sup> Ave. NE, Suite 2300

16           Bellevue, WA 98004

17           Tel: (425) 646-6100

18           Email: rhysfarren@dwt.com

19           *Attorneys for Plaintiff*

20           **SAVITT BRUCE & WILLEY LLP**

21           By /s/ Stephen C. Willey

22           Stephen C. Willey, WSBA #24499

23           1425 Fourth Avenue, Suite 800

24           Seattle, WA 98101

25           Tel: (206) 749-0500

26           Email: swilley@sbwllp.com

27           *Attorneys for Defendants*

**II. ORDER**

Consistent with the foregoing stipulation of the parties:

1. The Court approves of the LOC as security for the Appeal functionally analogous to a supersedeas bond.

2. In accordance with Fed.R.Civ.P. 62(d), the Judgment herein is stayed so long as the LOC remains in effect.

**It is so ORDERED.**

DATED: Dec. 15, 2017.



The Honorable Robert S. Lasnik

1 Presented by:

2 **DAVIS WRIGHT TREMAINE, LLC**

3  
4 By /s/ Rhys M. Farren [email authorization]  
Rhys M. Farren, WSBA #19398

5 Attorneys for Plaintiff Weiss-Jenkins IV, LLC

6  
7 **SAVITT BRUCE & WILLEY LLP**

8  
9 By /s/ Stephen C. Willey  
Stephen C. Willey, WSBA #24499

10 Attorneys for Defendants Utrecht Manufacturing Corporation  
11 and Dick Blick Holdings, Inc.

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
STIPULATION AND ORDER RE: (1) APPROVAL OF LETTER  
OF CREDIT, AND (2) STAY OF JUDGMENT PENDING  
APPEAL - 4  
(No. 2:14-cv-00954-RSL)

**SAVITT BRUCE & WILLEY LLP**  
1425 Fourth Avenue Suite 800  
Seattle, Washington 98101-2272  
(206) 749-0500